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November 15, 2024

Via ECF

The Honorable John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Herman Brightman
23 Cr. 642 (JPC)

Dear Judge Cronan,

I write to request that the Court issue an order directing the Probation Department to disclose to defense counsel and the government all records Probation obtained during the course of its presentence investigation, including information relating to Mr. Brightman's prior arrests and material obtained through the use of releases executed by Mr. Brightman. Absent a Court order, Probation will not provide the requested records to the parties, but will require it to be reviewed at Probation's office. Defense counsel must review the underlying material relied upon by Probation and discuss it with Mr. Brightman in order to determine whether to file additional objections to the Presentence Investigation Report and to prepare the defense's sentencing submission.

The government consents to this request and the parties have agreed to maintain the requested materials pursuant to the terms of the existing Protective Order in this case.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Neil P. Kelly
Assistant Federal Defender
(212) 417-8744

cc: Counsel of record

The request is granted. The Probation Department is directed to disclose to defense counsel and the Government all records Probation obtained during the course of its presentence investigation, including information relating to Defendant's prior arrests and material obtained through the use of releases executed by Defendant. The parties must maintain the requested materials pursuant to the terms of the Court's January 10, 2024 Protective Order, Dkt. 10. The Clerk of Court is respectfully directed to close Docket Number 36.

SO ORDERED.
Date: November 15, 2024
New York, New York


JOHN P. CRONAN
United States District Judge